GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services-Revenue Department-Sri K.Kotam Raju, formerly Senior Assistant, O/o. Special Officer, Vijayawada now retired - Common disciplinary proceedings initiated under Rule - 20 read with Rule24 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules,1991 - Articles of charge framed - O.A.NO. 5268/2014 filed before the Hon'ble APAT - Charges set aside in the Orders of the Hon'ble APAT dated:18.11.2016 - Regular enquiry ordered -Charges held proved in the enquiry - Writ Petition filed praying for release of pensioner benefits - W.P disposed off - Implementation of APAT orders -Release of pensioner benefits - Orders - Issued.

REVENUE (VIGILANCE-I) DEPARTMENT

G.O.Rt.No.361 Dated: 04-04-2024

Read the following:

1. From the Addl.DGP,CID.C.No.1621/C4/CID/98, dt:06-2005.
2. G.O.Rt.No.2076,Revenue(Vig.III)Dept.,Dt:12.11.2008.
3. G.O.Rt.No.170Revenue(Vig.III)Dept.,Dt:08.02.201.1
4. Ordersdated:18-11-2016 in OA.No.5268/2014 filed by Sri K.Kotam Raju, formerly Senior Assistant, O/o. Special Officer, Vijayawada now retired.
5. G.O.Rt.No.853,Rev.(Vig.I)Dept.,dt:14-08-2019.
6. Govt.Memo.No.29537/Vig.III (1)/2005,Rev.(Vig.I)Dept.,dt:13.04.2023.
7. Representations Dt.03.08.2023 filed by Sri K.Kotam Raju, formerly Senior Assistant, O/o. Special Officer, Vijayawada now retired.
8. W.P.No.24242/2023 filed by Sri K.KotamRaju, formerly Senior Assistant, O/o. Special Officer, Vijayawada now retired.
9. From the Member COI cum Inquiry Authority, SriJ.Satyanarayana, IPS, Enquiry report vide D.O.Lr.No.135/CoI-JS/2019,dated 27-02-2023.
10. High Court of A.P., Orders dt:21.09.2023inW.P.No.24242/2022 filed by Sri K.Kotam Raju, formerly Senior Assistant, O/o. Special Officer, Vijayawada now retired.

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ORDER:

Whereas in the G.O 2nd read above, common disciplinary proceedings were initiated against Sri K.Kotam Raju, formerly Senior Assistant, O/o. Special Officer, Vijayawada now retired by framing Articles of charge against him, for his involvement in their regularities in the registration of surplus vacant non - agricultural lands in the urban agglomeration of Vijayawada. Subsequently, after following due procedure, orders have been issued vide G.O 3rd read above, entrusting the case to Commissioner of Inquiries for conducting common enquiry.

2. Sri K.Kotam Raju, formerly Senior Assistant, O/o. Special Officer, Vijayawada now retired has filed O.A.NO. 5268/2014, challenging the Articles ofchargeframedvideG.O.2nd read above and the Hon'ble APAT in its orders dated:18-11-2016 has allowed the OA and set aside the G.O.Rt.No.2075, Revenue(Vig.III) Dept., Dt:12.11.2008 with a direction to the respondents to release the consequential benefits, if any with held, to the applicant.

3. In the G.O 5th read above, the case has been re-assigned to Sri. J .Sathyanarayna, IPS (R), Commissioner of Inquiries, for conducting enquiry.

4. In the memo 6th read above, Govt., have ordered for release of pensionary benefits to another charged officer of the case, Sri K. Vijaya Mohana Rao, the then Senior Asst., O/o the Spl. Officer, ULC, Vijayawada, (now Retired Tahsildar), in light of the Writ petition filed by him in the Hon'ble High Court, as the Hon'ble APAT in its orders dated:18.11.2016 in the OA.No.5278/2014 filed by him has set aside the Articles of charge framed against him vide G.O.Rt.No.2075, Revenue (Vig.III) Dept., Dt:12.11.2008 and accordingly, directed the chief Commissioner of Land Administration, A.P / District Collector, Krishna to take further necessary action in the matter.

(Contd..2)

5. Sri K.Kotam Raju, formerly Senior Assistant, O/o. Special Officer, Vijayawada now retired has filed a representation 7th read above, requesting the Govt., for release of pensionary benefits as was done in respect of Sri K.Vijaya Mohana Rao, the then Senior Asst., O/o the Spl. Officer, ULC, Vijayawada, (now Retired Tahsildar)vide memo 6th read above, who is similarly situated person like him in the case. Subsequently, he has filed W.P.No.24242/2022 challenging the in action in sanction of retirement benefits despite Hon'ble APAT orders setting aside the charge memo and the Hon'ble high court in its orders dated:21.09.2023 inW.P.No.24242/2022 has directed to consider the representation of the petitioner dt.03.08.2023 inaccordance with Govt.Memo.13.04.2023 where in pensionary benefits were released in respect of Sri K.Vijaya Mohana Rao, the then Senior Asst., O/o the Spl. Officer, ULC, Vijayawada,(now Retired Tahsildar).

6. In the report,8th read above, the member COI cum Inquiry Authority, Sri J. Satyanarayana, IPS, has submitted the Enquiry report stating that the charges framed against Sri K.Kotam Raju, formerly Senior Assistant, O/o. Special Officer, Vijayawada now retired as held proved. Govt., after careful examination of the entire issue, have decided toimplementtheordersdated:21.09.2023passedbytheHon'bleHighcourtin W.P.No.24242/2022 filed by him and also to drop further action him as the Hon'ble APAT has set aside the Articles of charge framed against him vide G.O.2nd read above, as directed by the Hon'ble High Court.

7. Accordingly, Govt., hereby drop further action against Sri K. Kotam Raju, formerly Senior Assistant, O/o. Special Officer, Vijayawada as the Hon'ble APAT in its orders dated 18.11.2016 in the OA. No. 5268/2014 filed by him has set aside the Articles of charge framed against him vide G.O 2nd read above and also order for release of pensionary benefits to him in terms of orders dated: 21.09.2023 passed by the Hon'ble High court in W.P.No.24242/2022 filed by him.

9. The Chief Commissioner of Land Administration, A.P., Mangalagiri / District Collector, NTR District shall take necessary further action in the matter accordingly.

(BYORDERAND INTHENAMEOFTHEGOVERNOR OFANDHRAPRADESH)

AJAY JAIN
SPECIAL CHIEF SECRETARY TO GOVERNMENT(LANDS)(FAC)

To
Sri
K.KotamRaju,formerlySeniorAssistant,O/o.SpecialOfficer,Vijayawada(ThroughChiefCommissionerofLandAdministration, Andhra Pradesh, Mangalagiri).
The Chief Commissioner of Land Administration, Andhra Pradesh, Mangalagiri.
Copy to:
The District Collector, N.T.R District.
The Accountant General (A&E), Andhra Pradesh, Vijayawada
SF/SC.

// FORWARDED::BY ORDER //

SECTION OFFICER